IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

WRIT CONTEMPT No. 61 of 2001

RAM KISHAN DASS GUPTA
V/S
SHYAM SUNDER AGARWAL & ORS

Mr. SD VYAS, for the appellant / petitioner

Mr. NM LODHA & Mr. KL THAKUR, AAG, for the respondent

Date of Order : 25.10.2007

HON'BLE SHRI N P GUPTA,J.
HON'BLE SHRI MUNISHWAR NATH BHANDARI,J.

ORDER

Vide order dt. 7.3.2007 it was observed that the existing court building as constructed is already deficit, and at least three more courts rooms are required, in the moment, apart from the fact that the proposal was for construction of 24 court rooms in present, and with a scope of 40 in future. Some time frame was granted for undertaking certain construction. However, the matter was adjourned for dates after dates, thereafter the matter was taken up on 23.10.2007, and that day this Court observed, that apart from anything else, at least three court rooms with necessary chambers, and attached amenities are the immediate need in the Court building. It was also orally observed that the Court of District Judge which is presently functioning in the new building is wholly inapt, looking to the status of the District Judge, inasmuch as

his chamber is so small that it does not at all cater the requirement of the District Judge. Accordingly, it was observed that at least three new court rooms be constructed which may include one court room for the District Judge with reasonably big size chamber, toilet, and other necessary amenities. Likewise a conference hall was required to be constructed according to the previous order passed in the contempt from time to time. Accordingly, on 23.10.2007 the learned counsel Mr. Thakur prayed for time to inform the Court the time frame within which this construction would be undertaken. Today an affidavit has been filed.

We appreciate that the contempt petition has remained pending for more than half a decade apart from the fact that as appears from reading of various orders passed from time to time, that the contempt has far exceeded the scope of the final order passed in public interest litigation writ also.

However, considering the totality of circumstances, we close the contempt proceedings with a direction to the State Government to complete the construction as mentioned in the affidavit filed today which include three court including one court for District Judge as above, and the Conference Hall,and within the time framed deposed therein excluding the time required for

administrative and financial sanctions. It is expected that administrative and financial sanction will be granted by the State Government now within a period of three months from today. With these directions, the contempt proceedings are closed, and contempt notices are discharged.

(MUNISHWAR NATH BHANDARI),J. (N P GUPTA),J.

/sushil/